

The beaded article of jewelry as taught in Doppenschmitt cannot and will not perform the function of a friendship bracelet with exchangeable elements, as Doppenschmitt's beaded bracelet does not provide for exchangeable elements. Doppenschmitt has beads (not closed loop members) being made of gold, silver, or other metals or enameled materials, wherein these beads are not slidably removable from the tubular member of its bracelet. Additionally, Doppenschmitt's beads do not have any form of indicia thereof for identification purposes.

The novel bracelet combination disclosed and claimed in the present invention describes friendship bracelets with removable loop members having indicia thereon which are exchangeable with a friend's bracelet having loop members thereon with different indicia for indicating friendships within a group or clique and to identify members of that friendship group or clique. This bracelet and loop members as cited in the Claims of the present invention are needed in order to distinguish itself as a friendship bracelet having exchangeable loop members for wearing on the wrist of the user.

In the Doppenschmitt prior art patent, (as stated in their Claim 1), his invention describes a form-sustaining resilient beaded article of jewelry having a spring steel core, a tubular covering of a flexible, close-mesh wire fabric enveloping the steel core, and a string of beads surrounding the tubular covering.

The rejection of Claims 1 to 24, based on Doppenschmitt in view of Knodel under 35 U.S.C. §103(a) is respectfully traversed. The disclosure in Doppenschmitt does not teach or disclose the following elements of the amended independent Claim 1:

a) A wristband of stretchable elastic material and including releasable closure means for opening and closing said wristband. Doppenschmitt does not teach a wristband being made of a stretchable elastic material nor a releasable closure means for opening and closing of the wristband.

b) A plurality of closed loop members slidably removable from the wristband for exchanging with the closed loop members of other wristbands. Doppenschmitt does not teach a bracelet having a plurality of closed loop members (Doppenschmitt's bracelet has beads not closed loop members) that are slidably removable from its bracelet which are used for exchanging with another bracelet.

c) Each of the plurality of closed loop members have a surface with first indicia thereon for exchanging with the closed loop members of other wristbands having second, third and fourth indicia thereon. Doppenschmitt does not teach that each of [the plurality of closed loop members] its beads has some form of indicia thereon, such that its bead is used for exchanging with other bracelets. Further, as previously mentioned Doppenschmitt's beads cannot be slidably removed from its tubular wristband, thus the beads cannot be exchanged.

d) The first indicia has a design selected from the group consisting of stars, stripes, hearts, flowers, insects and animals. Doppenschmitt does not specifically teach that its plurality of beads has designs selected from the group consisting of stars, stripes, hearts, flowers, insects and animals.

The disclosure in Doppenschmitt does not teach or disclose the following steps of amended independent Claim 12:

a) The step of opening said releasable closure means and slidably removing from the wristband one of the plurality of closed loop members having the first indicia thereon. Doppenschmitt does not teach the step of opening a releasable closure means (Doppenschmitt's bracelet does not have releasable closure means) or the step of slidably removing one of its beads from its tubular wristband.

b) The step of exchanging a removed one of the plurality of closed loop members with the closed loop member from another one of the friendship bracelets having second indicia thereon. Doppenschmitt's bracelet does not have the ability to have one of its beads being exchanged for another bead from another bracelet.

c) The step of sliding the closed loop member from another one of the friendship bracelets onto the wristband. Doppenschmitt's bracelet does not have the ability to have a bead from another bracelet being received onto its tubular wristband.

d) The step of closing the closure means to retain the wristband on the wrist of the wearer having closed loop members thereon with the first and second indicia thereon. Doppenschmitt's bracelet does not have closure means to retain the wristband around the wrist of the wearer.

The disclosure in Doppenschmitt does not teach or disclose the following elements of amended independent Claim 13:

a) A necklace having releasable closure means for opening and closing the neckband. Doppenschmitt does not teach a necklace having a releasable closure means for opening and closing of the neckband.

b) A plurality of closed loop members slidably removable from the necklace for exchanging with the closed loop members of other necklaces. Doppenschmitt does not teach a necklace having a plurality of closed loop members (Doppenschmitt's necklace has beads not closed loop members) that are slidably removable from its necklace which are used for exchanging with another necklace.

c) Each of the plurality of closed loop members have a surface with first indicia thereon for exchanging with the closed loop members of other neckbands having second, third and fourth indicia thereon. Doppenschmitt does not teach that each of [the plurality of closed loop members] its beads has some form of indicia thereon, such that the bead is used for exchanging with other necklaces. Further, as previously mentioned, Doppenschmitt's beads cannot be slidably removed from its tubular neckband, thus the beads cannot be exchanged.

d) The first indicia has a design selected from the group consisting of stars, stripes, hearts, flowers, insects and animals. Doppenschmitt does not specifically teach that its plurality of beads has designs selected from the group consisting of stars, stripes, hearts, flowers, insects and animals.

The Knodel prior art patent does not consider the use and application of its information reminding wristband as a friendship bracelet with exchangeable elements, as Knodel's reminder wristband would not function as a friendship bracelet with exchangeable elements due to its structure, configuration and design.

The reminder bracelet as taught in Knodel will not perform the function of a friendship bracelet with exchangeable closed loop members, as Knodel's reminder bracelet does not provide for closed loop members. Knodel has reminder tabs that are vertically mounted to the wristband, and these reminder tabs are not slidably removable from the wristband. The tabs 14 have a slit 20 connected to the bottom edge of the center opening 16, as shown in Figures 1 and 2 of Knodel's patent drawings, and the user has to distort the tab 14 in order to attach it or remove it from the wristband 10. Additionally, Knodel's tabs do not have indicia and certainly not in the form of stars, stripes, hearts, flowers, insects or animals being used for identification purposes as provided in the friendship bracelet of the present invention.

In the Knodel prior art patent, as stated in their Claim 1, his invention describes an information reminding device having a wristband and vertically mounted tabs on the wristband. The tabs include indicia in message form as a reminder for an anniversary, a birthday, an interview, etc. being printed/written on either or both sides of the tab.

The rejection of Claims 1 to 24, in view of Knodel under 35 U.S.C. §103(a) is respectfully traversed. The disclosure in Knodel does not teach or disclose the following elements of the amended independent Claim 1:

a) A plurality of closed loop members slidably removable from the wristband for exchanging with the closed loop members of other wristbands. Knodel does not teach a bracelet having a plurality of closed loop members (Knodel's bracelet has vertically mounted tabs not closed loop members that lie flat on the wristband) removable from its bracelet which are used for exchanging with another bracelet.

b) Each of the plurality of closed loop members have a surface with first indicia thereon for exchanging with the closed loop members of other wristbands having second, third and fourth indicia thereon. Knodel does not teach that each of [the plurality of closed loop members] its tabs has some form of identification indicia thereon, such that its tab is used for exchanging with other bracelets. Further, as previously mentioned, Knodel's tabs cannot be slidably removed from its wristband.

c) The first indicia has a design selected from the group consisting of stars, stripes, hearts, flowers, insects and animals. Knodel does not specifically teach that its plurality of tabs had designs selected from the group consisting of stars, stripes, hearts, flowers, insects and animals that are being used for identification purposes in exchanging with another bracket, whereas the closed loop members of the present invention are used in exchanging with another bracket.

The disclosure in Knodel does not teach or disclose the following steps of amended independent Claim 12:

a) The step of exchanging a removed one of the plurality of closed loop members with the closed loop member from another one of the friendship bracelets having second indicia thereon. Knodel's bracelet would not be used to have one of its tabs being exchanged for another tab from another bracelet of the same type from even a friend, as the reminder tab would have no significance as to friendship within a group, but only as a reminder, for example, of the friend's birthday.

b) The step of sliding the closed loop members from another one of the friendship bracelets onto the wristband. Knodel's bracelet does not have the ability to have its tab from another similar bracelet being slidably received onto its wristband.

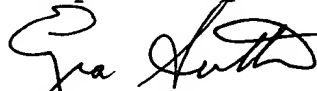
The disclosure in Knodel does not teach or disclose the following elements of the amended independent Claim 13:

a) A friendship necklace for wearing on the neck. Knodel does not teach a friendship necklace, as Knodel's invention is a reminder wristband and not a reminder necklace for wearing on the neck.

#### CONCLUSION

Accordingly, even if the prior art references of Doppenschmitt and Knodel are combined, they do not teach or disclose the claimed features of amended independent Claims 1, 12 and 13, and the claims which depend therefrom. For these reasons, applicant's claims should be allowed.

Respectfully submitted,

  
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